

REMARKS

Claims 1-18 are currently pending in the present application. With entry of this Amendment, Applicant amends claims 1, 3, 4, 8, 10, 11 and 15-18 and cancels claims 2 and 9. Reexamination and reconsideration are respectfully requested.

The Examiner rejected claims 1-18 under 35 U.S.C. § 102(b) as being anticipated by Nagamitsu (U.S. Patent No. 5,467,401). This rejection is respectfully traversed.

Applicant notes with appreciation the courtesy of the Examiner during a telephone interview on April 9. As discussed during the interview, Applicant respectfully submits that the claims are patentable over Nagamitsu as it fails to disclose or suggest “changing the orientation” of a sound generating point or sound receiving point.

During the interview, the Examiner emphasized that he had construed “orientation” broadly as the claims had failed to recite an initial direction to the stated orientation. (*See also* Office Action, at page 9 and Interview Summary.) Applicant and the Examiner discussed amending claim 1 (as well as the other claims) to define the initial direction. Furthermore, Applicant and the Examiner discussed including the recitations of dependent claim 2 directed to changing orientation based on the direction of the sound generating point vis-à-vis a target point. (*See, e.g.*, Figs. 4(a) and 4(b) of the application.)

Accordingly, Applicant has amended claim 1 to recite “a sound generating point . . . oriented in an initial direction to a target point.” Claim 1 has been further amended to recite “an orientation control section that identifies a direction to the target point from the sound generating point at the position indicated by the position indicating section, and changes an orientation of the sound generating point to the identified direction within the acoustic space without user input.” Thus, the

amendment makes clear that the orientation of the sound generating point changes from an initial direction to an identified direction. Furthermore, the amendment makes clear that the orientation changes based on the direction of the sound generating point vis-à-vis a target point.

Dependent claim 2 has been cancelled, and dependent claims 3 and 4 have been amended in view of the amendments to claim 1. Independent claims 15 and 17 have been amended in similar manner to claim 1.

Likewise, Applicant has amended claim 8 to recite “said sound receiving point oriented in an initial direction to a target point.” Claim 8 has been further amended to recite “an orientation control section that identifies a direction to the target point from the sound receiving point at the position indicated by the position indicating section, and changes an orientation of the sound receiving point to the identified direction without user input.” Thus, the amendment makes clear that the orientation of the sound *receiving* point changes from the initial direction to the identified direction. Furthermore, the amendment makes clear the orientation changes based on the direction of the sound receiving point vis-à-vis a target point.

Dependent claim 9 has been cancelled, and dependent claims 10 and 11 have been amended in view of the amendments to claim 8. Independent claims 16 and 18 have been amended in similar manner to claim 8.

In contrast, Nagamitsu fails to disclose the above recitations. There is no disclosure or suggestion in Nagamitsu of changing the orientation of the sound generating point from an initial direction to an identified direction vis-à-vis a target point. In fact, Nagamitsu makes clear that the sound source “evenly emanates” a plurality of sound rays at Col. 6, lines 18-20. This means that the sound source in Nagamitsu does not even have an orientation to change.

Furthermore, there is no disclosure or suggestion in Nagamitsu of changing the orientation of the sound receiving point from an initial direction to an identified direction vis-à-vis a target point. For example, at Col. 5, lines 25-32, Nagamitsu makes clear that data is acquired based on the incident direction of the sound to the sound receiving point, and thus is not concerned at all with changing the orientation of the sound receiving point from an initial direction to an identified direction vis-à-vis a target point.

Accordingly, Applicant respectfully submits that claims 1, 8 and 15-18 are not anticipated by or obvious in view of Nagamitsu. Dependent claims 3-7 and 10-14 are likewise not anticipated by or obvious in view of Nagamitsu for at least the reasons set forth above.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark Office determines that an extension and/or other relief is required, Applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing Docket No. 393032044700. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

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